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(n/k/a JAPAN DISPLAY INC.), HITACHI
AMERICA, LTD., HITACHI ASIA, LTD., and
HITACHI ELECTRONIC DEVICES (USA),
INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. Master File No. 3:07-cv-05944-SC

MDL NO. 1917

This Document Relates to:

Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,
No. 3:11-cv-05513-SC;

**DECLARATION OF ELIOT A.
ADELSON IN SUPPORT OF
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PURSUANT TO CIVIL
LOCAL RULES 79-5(d) AND 7-11 RE
HITACHI DEFENDANTS' MOTION IN
LIMINE TO COMPEL PLAINTIFFS TO
REFER TO DEFENDANT SHENZHEN
SEG HITACHI COLOR DISPLAY
DEVICES, LTD. BY ITS SPECIFIC,
INDIVIDUAL CORPORATE ENTITY
NAME OR AS "SEG"**

1 I, Eliot A. Adelson, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and the Northern
3 District of California. I am a partner with the firm of Kirkland & Ellis LLP, and counsel for Hitachi,
4 Ltd., Hitachi Asia, Ltd., Hitachi America, Ltd., Hitachi Displays, Ltd. (n/k/a Japan Display Inc.), and
5 Hitachi Electronic Devices (USA), Inc. (collectively, the “Hitachi Defendants”). Except for those
6 matters stated on information and belief, about which I am informed and which I believe to be true, I
7 have personal knowledge of the facts stated herein and, if called as a witness, I could and would
8 competently testify thereto.

9 2. I submit this declaration in support of Hitachi Defendants’ Administrative Motion to
10 File Under Seal Pursuant to Civil Local Rules 79-5(d) and 7-11. I make this declaration pursuant to
11 Civil Local Rule 79-5(d) to establish that certain documents containing Confidential and Highly
12 Confidential information and submitted to the Court in connection with Hitachi Defendants’ Motion
13 in Limine to Compel Plaintiffs to Refer to Defendant Shenzhen SEG Hitachi Color Display Devices,
14 Ltd. by its Specific, Individual Corporate Entity Name or as “SEG” (“Hitachi Defendants’ Motion”)
15 are sealable.

16 3. On June 18, 2008, the Court approved a “Stipulated Protective Order” in this matter
17 (Dkt. 306). On January 23, 2015, the Hitachi Defendants filed an Administrative Motion to Seal, and
18 lodged conditionally under seal, the following documents, or portions thereof, pursuant to Civil
19 Local Rules 7-11 and 79-5(d):

20 a. Portions of the Hitachi Defendants’ Motion that contain quotations or information
21 from documents and/or deposition testimony that certain Defendants have designated
22 “Highly Confidential”; and

23 b. Exhibit 2 attached to the Adelson Declaration, which is an excerpt from deposition
24 testimony that the Hitachi Defendants have designated “Highly Confidential.”

25 4. Pursuant to Civil Local Rule 79-5(d), I make this declaration on behalf of the Hitachi
26 Defendants to provide the basis for the Court to maintain under seal certain documents and
27 information designated by the Hitachi Defendants as “Confidential” or “Highly Confidential”
28 pursuant to the Stipulated Protective Order, and all references to those documents and information in

1 the Reply.

2 5. Exhibit 2 to the Adelson Declaration is a true and correct copy of excerpts from the
3 deposition of Lloyd Thomas Heiser, dated March 18, 2014 and designated by Hitachi Defendants as
4 “Highly Confidential.”

5 6. Upon information and belief, the testimony included in Exhibit 2 contains
6 confidential, nonpublic, proprietary and highly sensitive business information about the Hitachi
7 Defendants’ sales processes, business practices, internal practices, negotiating tactics, confidential
8 business and supply agreements and/or competitive positions. These documents describe
9 relationships with companies that remain important to the Hitachi Defendants’ competitive position.
10 I am informed and believe that this is sensitive information and public disclosure of this information
11 presents a risk of undermining the Hitachi Defendants’ business relationships, would cause it harm
12 with respect to its competitors and customers, and would put the Hitachi Defendants at a competitive
13 disadvantage.

14 7. The highlighted portions of the Hitachi Defendants’ Motion quote from, describe, or
15 contain documents or information designated as “Highly Confidential” by the Hitachi Defendants
16 pursuant to the Stipulated Protective Order, including Exhibit 2 to the Adelson Declaration. I
17 understand that Hitachi considers any statements in the Hitachi Defendants’ Motion purporting to
18 summarize the exhibits or any other documents or information designated as “Confidential” or
19 “Highly Confidential” by the Hitachi Defendants is confidential and proprietary. I am informed and
20 believe that the Hitachi Defendants have taken reasonable steps to preserve the confidentiality of
21 information of the type contained, identified, or cited to in Exhibit 2, and referenced in the Hitachi
22 Defendants’ Motion.

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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

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4 DATED: February 13, 2015

By: /s/ Eliot A. Adelson

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13 HITACHI AMERICA, LTD., HITACHI
14 ASIA, LTD., and HITACHI ELECTRONIC
15 DEVICES (USA), INC.
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